

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-filing

THE BOARD OF TRUSTEES of the CARPENTERS  
HEALTH AND WELFARE TRUST FUND FOR CALIFORNIA  
(continued on Attachment A)

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

C08-01067

SAUL M. CURZ, Individually  
(continued on Attachment A)

TO: (Name and address of defendant)

SAUL M. CRUZ, Individually  
77 Anderson Street  
San Francisco, CA 94110

(continued on Attachment B)

SAUL M. CRUZ, Individually and doing business as SMC Modular Installation  
77 Anderson Street  
San Francisco, CA 94110

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Barry E. Hinkle, Bar No. 071223  
Kristina L. Hillman, Bar No. 208599  
Concepcion E. Lozano-Batista, Bar No. 227227  
A Professional Corporation  
1001 Marina Village Parkway, Suite 200  
Alameda, CA 94501-1091

Telephone: (510) 337-1001

an answer to the complaint which is herewith served upon you, within \_\_\_\_\_ days after service of this summons upon you,  
exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the  
complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

FEB 10 2008

Richard W. Wieking  
CLERK

DATE \_\_\_\_\_

  
(BY) DEPUTY CLERK

**RETURN OF SERVICE**

DATE

Service of the Summons and Complaint was made by me<sup>1</sup>

Name of SERVER

TITLE

*Check one box below to indicate appropriate method of service*

Served Personally upon the Defendant. Place where served: \_\_\_\_\_

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

Returned unexecuted:

Other (specify):

**STATEMENT OF SERVICE FEES**

TRAVEL

SERVICES

TOTAL

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

Date

Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

Attachment A to Summons in a Civil Case

THE BOARD OF TRUSTEES of the CARPENTERS HEALTH AND WELFARE TRUST FUND FOR CALIFORNIA; CARPENTERS VACATION-HOLIDAY TRUST FUND FOR NORTHERN CALIFORNIA; CARPENTERS PENSION TRUST FUND FOR NORTHERN CALIFORNIA; CARPENTERS ANNUITY TRUST FUND FOR NORTHERN CALIFORNIA; and CARPENTERS TRAINING TRUST FUND FOR NORTHERN CALIFORNIA; CARPENTERS 46 NORTHERN CALIFORNIA COUNTIES CONFERENCE BOARD for itself and on behalf of the NORTHERN CALIFORNIA CARPENTERS REGIONAL COUNCIL and CARPENTERS UNION LOCAL No. 22,

Plaintiffs,

v.

SAUL M. CRUZ, Individually; SAUL M. CRUZ, Individually and doing business as SMC MODULAR INSTALLATION; MAGDALENA L. CRUZ, Individually; MAGDALENA L. CRUZ, Individually and doing business as SMC MODULAR INSTALLATION; SMC MODULAR INSTALLATION; Does 1 through 10, inclusive,

Defendants.

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**Attachment B to Summons In A Civil Case**

SAUL M. CRUZ, Individually  
77 Anderson Street  
San Francisco, CA 94110

SAUL M. CRUZ, Individually and doing business  
as SMC MODULAR INSTALLATION  
77 Anderson Street  
San Francisco, CA 94110

MAGDALENA L. CRUZ, Individually  
77 Anderson Street  
San Francisco, CA 94110

MAGDALENA L. CRUZ, Individually and doing  
business as SMC MODULAR INSTALLATION  
77 Anderson Street  
San Francisco, CA 94110

SMC MODULAR INSTALLATION  
77 Anderson Street  
San Francisco, CA 94110

**Attachment B to Summons In A Civil Case**

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS) WEINBERG, ROGER & ROSENFELD 1001 MARINA VILLAGE PRKWY, STE. 200 ALAMEDA, CA 94501-1023		TELEPHONE NO. (510) 337-1001		FOR COURT USE ONLY	
ATTORNEY FOR (NAME)		REFERENCE NUMBER 00034477-05			
Insert name of court, judicial district or branch court, if any, and post office and street address United States District Court,					
SHORT NAME OF CASE THE BOARD OF TRUSTEES vs. CRUZ					
PROOF OF SERVICE	DATE:	TIME:	DEPT/DIV:	CASE NUMBER: C-08 01067 CW	

I am and was on the dates herein mentioned over the age of eighteen years and not a party to this action;

I served the:

Summons; Petition to Confirm Arbitration Award; Civil Case Cover Sheet; Order Setting Initial Case Management Conference; ECF Registration Information Handout; Notice Of Availablility Of Magistrate Judge To Exercise Jurisdiction; Memorandum of Points and Authorities in Support of Petition;

Name: SMC MODULAR INSTALLATION

Person Served: SAUL CRUZ

Title: AUTHORIZED TO ACCEPT SERVICE

Date of Delivery: February 26, 2008 HDATE:

Time of Delivery: 10:00 pm

Place of Service: 77 ANDERSON STREET  
SAN FRANCISCO, CA 94110

(Business)

Manner of Service: **Personal Service - By Personally Delivering copies to the person on whom the service is required.**

Fee for service: \$ 24.75

JUDICIAL COUNCIL FORM, RULE #982 (A)(23)


☒ Registered: . . . San Francisco . . . County,  
Number: . . . 2007-0001040 . . .  
Expiration Date: 05/31/2009

RAPID SERVE  
210 Fell Street, # 19  
San Francisco, CA 94102  
(415) 882-2266

302/00034477-05

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

on: . . . February 27, 2008 . . .  
at: . . . San Francisco . . . , California.

Signature: 

Name: FREDERICK GURR

Title: (i) employee

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS) WEINBERG, ROGER & ROSENFELD 1001 MARINA VILLAGE PRKWY, STE. 200 ALAMEDA, CA 94501-1023		TELEPHONE NO. (510) 337-1001		FOR COURT USE ONLY	
ATTORNEY FOR (NAME)		REFERENCE NUMBER 00034477-04			
Insert name of court, judicial district or branch court, if any, and post office and street address United States District Court,					
SHORT NAME OF CASE THE BOARD OF TRUSTEES vs. CRUZ					
PROOF OF SERVICE	DATE:	TIME:	DEPT/DIV:	CASE NUMBER: C-08 01067 CW	

I am and was on the dates herein mentioned over the age of eighteen years and not a party to this action;

I served the:

Summons; Petition to Confirm Arbitration Award; Civil Case Cover Sheet; Order Setting Initial Case Management Conference; ECF Registration Information Handout; Notice Of Availability Of Magistrate Judge To Exercise Jurisdiction; Memorandum of Points and Authorities in Support of Petition;

Name: MAGDALENA L. CRUZ, INDIVIDUALLY AND DOING BUSINESS AS  
SMC MODULAR INSTALLATION

Date of Delivery: February 26, 2008 HDATE:  
Time of Delivery: 10:00 pm

Place of Service: 77 ANDERSON STREET  
SAN FRANCISCO, CA 94110

(Business)

Manner of Service: **Personal Service - By Personally Delivering copies to the person on whom the service is required.**

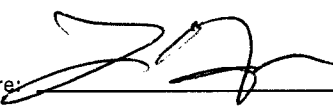
Fee for service: \$ 24.75

☒ JUDICIAL COUNCIL FORM, RULE #982 (A)(23)  
Registered: . . . San Francisco . . . County,  
Number: . . . 2007-0001040 . . .  
Expiration Date: 05/31/2009

RAPID SERVE  
210 Fell Street, # 19  
San Francisco, CA 94102  
(415) 882-2266

302/00034477-04

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
on: . . . February 27, 2008 . . .  
at: . . . San Francisco . . . , California.

Signature:   
Name: FREDERICK GURR  
Title: (i) employee

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS) WEINBERG, ROGER & ROSENFELD 1001 MARINA VILLAGE PRKWY, STE. 200 ALAMEDA, CA 94501-1023		TELEPHONE NO. (510) 337-1001	FOR COURT USE ONLY	
ATTORNEY FOR (NAME)		REFERENCE NUMBER 00034477-03		
Insert name of court, judicial district or branch court, if any, and post office and street address United States District Court,				
SHORT NAME OF CASE THE BOARD OF TRUSTEES vs. CRUZ				
PROOF OF SERVICE	DATE:	TIME:	DEPT/DIV:	CASE NUMBER: C-08 01067 CW

I am and was on the dates herein mentioned over the age of eighteen years and not a party to this action;

I served the:

Summons; Petition to Confirm Arbitration Award; Civil Case Cover Sheet; Order Setting Initial Case Management Conference; ECF Registration Information Handout; Notice Of Availablility Of Magistrate Judge To Exercise Jurisdiction; Memorandum of Points and Authorities in Support of Petition;

Name: MAGDALENA L. CRUZ, INDIVIDUALLY

Date of Delivery: February 26, 2008 HDATE:  
Time of Delivery: 10:00 pm

Place of Service: 77 ANDERSON STREET  
SAN FRANCISCO, CA 94110

(Business)

Manner of Service: Personal Service - By Personally Delivering copies to the person on whom the service is required.

Fee for service: \$ 24.75

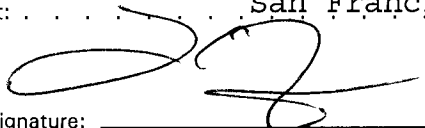
☒ JUDICIAL COUNCIL FORM, RULE #982 (A)(23)  
Registered: . . . San Francisco . . . County,  
Number: . . . 2007-0001040 . . .  
Expiration Date: 05/31/2009

RAPID SERVE  
210 Fell Street, # 19  
San Francisco, CA 94102  
(415) 882-2266

302/00034477-03

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

on: . . . . . February 27, 2008 . . . . .  
at: . . . . . San Francisco . . . . ., California.

Signature:   
Name: FREDERICK GURR  
Title: (i) employee

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS) WEINBERG, ROGER & ROSENFELD 1001 MARINA VILLAGE PRKWY, STE. 200 ALAMEDA, CA 94501-1023		TELEPHONE NO. (510) 337-1001		FOR COURT USE ONLY	
ATTORNEY FOR (NAME)		REFERENCE NUMBER 00034477-02			
Insert name of court, judicial district or branch court, if any, and post office and street address United States District Court,					
SHORT NAME OF CASE THE BOARD OF TRUSTEES vs. CRUZ					
PROOF OF SERVICE		DATE:	TIME:	DEPT/DIV:	CASE NUMBER: C-08 01067 CW

I am and was on the dates herein mentioned over the age of eighteen years and not a party to this action;

I served the:

Summons; Petition to Confirm Arbitration Award; Civil Case Cover Sheet; Order Setting Initial Case Management Conference; ECF Registration Information Handout; Notice Of Availability Of Magistrate Judge To Exercise Jurisdiction; Memorandum of Points and Authorities in Support of Petition;

Name: SAUL M. CRUZ, INDIVIDUALLY AND DOING BUSINESS AS SMC  
MODULAR INSTALLATION

Date of Delivery: February 26, 2008 HDATE:  
Time of Delivery: 10:00 pm

Place of Service: 77 ANDERSON STREET  
SAN FRANCISCO, CA 94110

(Business)

Manner of Service: Personal Service - By Personally Delivering copies to the person on whom the service is required.

Fee for service: \$ 49.50

JUDICIAL COUNCIL FORM, RULE #982 (A)(23)

☒ Registered: . . . San Francisco . . . County,  
Number: . . . 2007-0001040 . . .  
Expiration Date: 05/31/2009

RAPID SERVE  
210 Fell Street, # 19  
San Francisco, CA 94102  
(415) 882-2266

302/00034477-02

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
on: . . . February 27, 2008 . . .  
at: . . . San Francisco . . . , California.

Signature: 

Name: FREDERICK GURR

Title: (i) employee



ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS) WEINBERG, ROGER & ROSENFELD 1001 MARINA VILLAGE PRKWY, STE. 200 ALAMEDA, CA 94501-1023		TELEPHONE NO. (510) 337-1001		FOR COURT USE ONLY	
		REFERENCE NUMBER 00034477-01			
ATTORNEY FOR (NAME)					
Insert name of court, judicial district or branch court, if any, and post office and street address United States District Court,					
SHORT NAME OF CASE THE BOARD OF TRUSTEES vs. CRUZ					
PROOF OF SERVICE		DATE:		TIME:	
				DEPT/DIV: CASE NUMBER: C-08 01067 CW	

I am and was on the dates herein mentioned over the age of eighteen years and not a party to this action;

I served the:

Summons; Petition to Confirm Arbitration Award; Civil Case Cover Sheet; Order Setting Initial Case Management Conference; ECF Registration Information Handout; Notice Of Availability Of Magistrate Judge To Exercise Jurisdiction; Memorandum of Points and Authorities in Support of Petition;

Name: SAUL M. CRUZ, INDIVIDUALLY

Date of Delivery: February 26, 2008 HDATE:  
Time of Delivery: 10:00 pm

Place of Service: 77 ANDERSON STREET  
SAN FRANCISCO, CA 94110

(Business)

Manner of Service: **Personal Service - By Personally Delivering copies to the person on whom the service is required.**

Fee for service: \$ 49.50


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☒ Registered: . . . San Francisco . . . County,  
Number: . . . 2007-0001040 . . . . .  
Expiration Date: 05/31/2009

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(415) 882-2266

302/00034477-01

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
on: . . . . . February 27, 2008 . . . . .  
at: . . . . . San Francisco . . . . ., California.

Signature:   
Name: FREDERICK GURR  
Title: (i) employee